Amendments to the Drawings:

The Office Action notes that the "drawings must show every feature of the invention specified in the claims". (Office Action, page two). The Office Action of further states that "the illustrations of the popcorn icon being utilized and transformed on a matrix in the slot machine game and as claimed in claim 1; illustration of the matrix of the game in claims 1, 2, 3-15, and 17-20; illustration of displaying an image which moves from a starting position to the respective determined position in claims 1, 2, and 12; illustration of the outcomes having respective positions which defines a column of claims 6, 19, and 20; and illustrations the method steps for the game process of claims 1, 2, 4-15 and 17-20 must be shown or the feature(s) canceled from the claim(s)". (Office Action, page 2). In addition, the Office Action states, "the Applicant is suggested to refer to the illustrations of popcorns in the video game as shown in figures 3, 4, 8, and 9-17 of the provisional application 60/452166 to overcome this objection."(Office Action, page 3)

To satisfy this requirement, as suggested by the Examiner, the figures mentioned from the provisional application have been added.

The attached sheets contain figures 4, 5A, 5B, 5C, 5D, 6A, 6B, 6C, 6D, 7, 8 and include material described in the application as requested by the Examiner. No new material has been added.

Attachments: Additional drawings

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REMARKS

Claims 1, 3, 4, 11 and 16 have been canceled. Claims 2, 5-10, 12, 14, 15, and 17-20 have been amended. New claims 21-24 have been added. Claims 13 is an original claim. Currently, claims 2, 5-10, 12-15, 17-24 are pending in the application.

Claim Status

Claims 1 – Stands rejected under 35 U.S.C. 102(b) as anticipated by, or in the alternative under 35 U.S.C. 103(a) as obvious over Baerlocher et al. (6,319,124). Because Applicants have cancelled this claim herein, the rejection is moot.

Claims 2, 4-15, and 17-20 - Stand rejected under 35 U.S.C. 102 as anticipated by Baerlocher (6,319,124). Because Applicants have cancelled claims 3, 4 and 11 herein, the rejection is moot for claims 3, 4, and 11.

New Claims (21-24) – are dependent claims that depend on either claim 2 or claim 12 - Applicants have added new claims 21-24 to place the application in better condition for allowance and future prosecution in the event Applicants' request for allowance is denied.

Claims 21-23 depend on Claim 12. Consequently, if the 35 U.S.C. 102(b) rejection is overcome for claim 12, claims 21-23 will also overcome any 35 U.S.C. 102(b) rejection under Baerlocher.

Claim 24 depends on claim 2. Because claim 24 depends on independent claim 2, which stands rejected under 35 U.S.C. 102(b). If the 35 U.S.C. 102(b) rejection is overcome for claim 2, claim 24 will also overcome any 35 U.S.C. 102 rejection under Baerlocher.

Claim Rejections - 35 U.S.C. Section 102(b) – Baerlocher

Each of the claim rejections are addressed below grouped by independent claim (i.e., independent claim 2 and 12).

Not All Claim Limitations Are Taught or Suggested

Anticipation is established only when a single prior art reference discloses expressly, or under the principles of inherency, each element of the claimed invention. Consequently, to overcome the rejection, Applicants need only show that the claims contain a limitation not disclosed by the Baerlocher reference. A showing that a claim limitation contained in an independent claim (claim 2 and claim 12) not disclosed by Baerlocher will overcome the rejection of the independent claim (claim 2 and claim 12) and each dependent claim (dependent claims 5-10 and 24 depending on independent claim 2 and dependent claims 13-15, 17-23 depending on independent claim 12).

First, Applicants would like to clarify the contents of the Baerlocher patent. Baerlocher describes a method for distinguishing various types of indicia in either a bonus or base game. The Baerlocher patent is not directed towards any particular game play mechanic that determines a game outcome. Baerlocher merely facilitates the player's recognition of the occurrence of certain game outcomes through visual enhancements. The Baerlocher patent does describe a typical "pick" type bonus game that allows a player to pick one of a plurality of indicia to receive a hidden game outcome. This bonus game is well-known in the art, and was apparently used only to provide an example of how indicia might be distinguished (Baerlocher, Figure 10).

Baerlocher are also discusses visual presentation of slot type games, again in the context of visually distinguishing indicia present in the game outcome and not with respect to any game play mechanic that determines a game outcome. For example, Baerlocher illustrates a number of slot game outcomes in figures 3, 4, 5, 7, and 8. Each of these figures uses generic indicia to represent reel slot symbols. For example, "S" represents any number of different reel symbols. Likewise, the "L" and "W" indicia in Figure 4 are generic indicia that merely represent any number and appearance of winning reel symbols "W" and losing reel symbols "L". Again, Baerlocher is only addressing the visual appearance of reel symbols and different methods for distinguishing the appearance of these reel symbols to facilitate a player's recognition of certain patterns in a game outcome.

Claims 2, 5-10, and 24

Stand rejected under 35 U.S.C. 102(b) as anticipated by Baerlocher (6,319,124). With that introduction, Applicants turn to currently amended claim 2. Claim 2 contains the limitations "generating a plurality of randomly selected symbols in a first area of a display" and "determining a position in a matrix for each of the plurality of symbols to form a plurality of bonus games, the matrix located in a second area of the display" and further, "moving a first subset of the plurality of symbols from the first area of the display to the respectively determined positions in the matrix." Claim 2 also contains the limitation "removing selected symbols from the matrix" to allow "moving the second subset of the plurality of symbols from the first area of the display to the respective determined positions in the matrix" to form another bonus game outcome.

This game play mechanic creates anticipation and tension as the order of symbols is slowly determined and shown as a bonus game outcome in the matrix. Further this game play mechanic provides a continuing bonus, as symbols in the matrix are removed to create empty positions for new symbols – giving the player a continuous opportunity to participate in a continually evolving bonus game.

Baerlocher is silent with respect to forming a plurality of bonus games by "determining a position in a matrix for each of the plurality of symbols to form a plurality of bonus games" (Application, claim 2) with a generated set of symbols (i.e., a plurality of symbols). Baerlocher is silent with respect to "removing selected symbols from the matrix" (Application, claim 2) to allow the new bonus game matrix to be formed by "moving the second subset of the plurality of symbols from the first area of the display to the respective determined positions in the matrix" (Application, claim 2). Consequently, Applicants submit that this claim limitation – removing symbols and forming a new matrix to create multiple bonus games from a set of generated symbols - is missing from the Baerlocher reference and consequently, the 35 U.S.C. 102 (b) anticipation rejection is overcome for claim 2 and each of its dependent claims 5-10 and 24.

Claims 12-15, and 17-23

Stand rejected under 35 U.S.C. 102(b) as anticipated by Baerlocher (6,319,124). Again, as discussed for claims 2, 5-10, anticipation is established only when a single prior art reference discloses expressly, or under the principles of inherency, each element of the claimed invention. Consequently, to overcome the rejection, Applicants need only show that the claims contain a limitation not disclosed by the Baerlocher reference. A showing that a claim limitation contained in the dependent claim (claim 12) is not disclosed by Baerlocher will overcome the rejection of each claim depending from claim 12 (claims 13-15 and 17-20), as well as overcome any potential 102(b) rejection under Baerlocher for new claims 21-23.

Claim 12 contains the limitation "purchasing a prepaid gaming session having a predetermined plurality of basic game outcomes" and further, "generating the plurality of basic game outcomes, each basic game outcome comprising a plurality of randomly determined symbols." Claim 12 further, requiring the limitation, "determining for each of the plurality of symbols, a respective position in a matrix" and "providing an award for a winning bonus game outcome based on the determined positions of each of the plurality of symbols in the matrix."

Consequently, the plurality of symbols forming the "plurality of basic game outcomes" is also used to form a matrix that creates a bonus game. The randomly selected symbols are put to two uses: forming a plurality of basic game outcomes and forming a bonus game outcome. This maintains player interest as even if all the basic games are lost, the symbols may potentially be recombined in the bonus game matrix to form a winning bonus game outcome - that in some embodiments will only be finally determined after all the basic game outcomes have been received.

Baerlocher is silent with respect to obtaining a plurality of basic game outcomes, and using the symbols forming the basic game outcomes to form a bonus game. For example, Baerlocher is silent with respect to "purchasing a prepaid gaming session having a predetermined plurality of basic game outcomes" (Application, claim 12) to

predetermine the number of basic game outcomes that the player may receive to build the matrix for the bonus game. Baerlocher is silent with respect to re-using a plurality of symbols that form a plurality of basic games, i.e., "each basic game outcome comprising a plurality of randomly determined symbols" and "displaying each of the plurality of symbols in the respectively determined position in the matrix" to form a bonus game in the matrix (Application, claim 12).

Consequently, Applicants submit that these claim limitations of (i) "purchasing a prepaid gaming session having a predetermined plurality of basic game outcomes" and, (ii) "generating the plurality of basic game outcomes, each basic game outcome comprising a plurality of randomly determined symbols," and, (iii) then using the same plurality of symbols from the basic game outcomes to create a bonus game matrix as in "displaying each of the plurality of symbols in the respective determined position in the matrix", are all missing from the Baerlocher reference. Consequently, Applicants submit that the 35 U.S.C. 102(b) anticipation rejection has been over overcome.

Conclusion

Applicants believe these all of the pending claims are now allowable over the prior art of record, are in condition for allowance, and respectfully request their allowance.
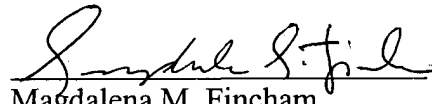
The early examination and consideration are respectfully requested. If there are any questions regarding the present application, the Examiner is invited to contact Applicants' undersigned attorney using the information provided below.

While no fees are believed to be due at this time, please charge any fees that may be required for this Amendment to <u>Deposit Account No. 50-0271</u>. Furthermore, should an extension of time be required, please grant any extension of time which may be required to make this Amendment timely, and please charge any fee for such an extension to <u>Deposit Account No. 50-0271</u>.

If the Examiner has any questions regarding this amendment or the present application, the Examiner is cordially requested to contact Michael L. White at telephone number (847) 729-3561 or via electronic mail at Mwhite@walkerdigital.com.

Respectfully submitted,

January 23, 2006
Date

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